

EXAMINER'S AMENDMENT/COMMENT

Allowable Subject Matter

Claims 1, 2, 8, 9, 10, and 15 are allowed.

The following is an examiner's statement of reasons for allowance: as indicated in the attachment to the Interview Summary mailed October 5, 2011, the prior art of record does not teach or suggest a combination as claimed in each of the independent claims. In particular, although Daneels teaches modifying a fraction of the access requests (in the form of *all* of the access requests, which is a "fraction" in light of the instant specification), Daneels does not teach or suggest varying the fraction by determining a difference between a monitored load condition and a desired load condition, and, based on the difference, varying the fraction of said external access requests between all, some, and none of the external access requests, thereby adjusting the load condition of the content server toward the desired load condition.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

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1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John P. Wagner, Jr. (Reg. No. 35,398) on February 7, 2012.

The application has been amended as follows:

AMENDMENTS TO THE CLAIMS

In **Claim 1**, on **line 30**, **after** the phrase “the load” and **before** the phrase “of the content server”, **delete** the word “conditions” and **insert** the word “condition”.

In **Claim 9**, on **line 24**, **after** the phrase “the load condition” and **before** the phrase “and a desired”, **delete** the word “monitored”.

In **Claim 9**, on **line 27**, **after** the phrase “the load” and **before** the phrase “of the content server”, **delete** the word “conditions” and **insert** the word “condition”.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER BIAGINI whose telephone number is (571)272-9743. The examiner can normally be reached on weekdays from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2093. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher D. Biagini/
Primary Examiner, Art Unit 2445